

IN THE HIGH COURT OF JUDICATURE AT PATNA

C.R. No.388 of 2007

SMT.SIYAMANI DEVI

Versus

RAM BRIJ ROY & ORS

9. 29.10.2010.

It is submitted on behalf of the petitioner that in view of the law laid down by the Apex Court in **Shiv Shakti Coop. Housing Society, Nagpur Vs. Swaraj Developers and others**, reported in (2003)6 Supreme Court Cases 659 and **Surya Dev Rai Vs. Ram Chander Rai and others**, reported in (2003)6 Supreme Court Cases 675 as well as by a Division Bench of this Court in **Durga Devi Vs. Vijay Kumar Poddar**, reported in 2010(2) PLJR 954, this Civil Revision would not be maintainable. Thus, learned counsel seeks permission to convert this Civil Revision into a Writ Petition under Article 227 of the Constitution of India.

Leave is granted.

Let the petitioner convert this Civil Revision into a Writ Petition under Article 227 of the Constitution of India within four weeks, failing which this Civil Revision shall stand rejected as not maintainable without further reference to a Bench.

P.S.

(Dr. Ravi Ranjan, J)